



CITY OF NEWPORT BEACH

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING DIVISION

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Pool Regulations



The Swimming Pool Safety Act, sections 115920-115929 of the California Health and Safety Code, became effective January 1, 1998 and involve child safety around swimming pools. Per the Newport Beach Municipal Code and Assembly Bill 2977, effective January 1, 2007, homeowners are required to maintain an enclosure that meets the requirements of NBMC Section 15.09.050 and 15.04.210, and install at least one of six specified drowning prevention safety features for new or remodeled pools. In addition, to help eliminate hazards on existing pools and spas as well as new pool construction, whenever a building permit is issued for construction, remodeling, or modifications at a single family home where a swimming pool, toddler

pool, or spa is located, the following safety measures are required.

Swimming Pool Safety Requirements

What is required for barrier methods?

Whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private, single-family home, it shall be equipped with an approved enclosure, as well as one of the following six drowning prevention safety features.



1. Enclosure - The pool shall be isolated from access to the home by an approved fence, wall, or barrier serving as an enclosure that separates the pool from the house, meeting the requirements of The Health and Safety Code, Section 115923; or,

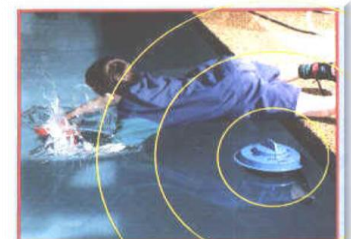


2. Safety Cover - The pool shall be equipped with an approved safety pool cover that meets all requirements of the ASTM Specifications F 1346; or,

3. Exit Alarms - The residence shall be equipped with exit alarms on those doors providing direct access to the pool; or,

4. Self-Closing, Self-Latching Doors - All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor; or,

5. Swimming Pool Alarms - Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. Swimming pool alarms shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water; or,



6. Other Means of Protection - Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth above, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME).



What are the Building Permit Requirements?

There are new safety requirements which must be met in order to obtain a building permit for either construction of a new swimming pool or spa, or for remodel or modification of an existing swimming pool, toddler pool, or spa. *These requirements apply only to Single Family Residences.*

1. Construction of a New Swimming Pool or Spa - The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains. Suction outlets that are less than 12 inches across shall be covered with antientrapment gates, as specified in the ASME/ANSI Standard A 112.19.8 that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers. Any backup safety system than an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission.



2. Remodel or Modification of an Existing Swimming Pool, Toddler Pool, or Spa - The suction outlet of the existing swimming pool, toddler pool, or spa shall be upgraded so as to be equipped with an antientrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) OR THE American Society of Mechanical Engineers (ASME).

Frequently Asked Questions

What are the requirements for an enclosure?

Enclosures are intended to keep children from entering the pool area and must meet the following minimum construction requirements:

1. Enclosures must be at least 5' (five feet) high.
2. The maximum gap between the bottom of the enclosure and the ground must not exceed 2" (two inches).
3. Gaps or voids in the enclosure must be less than 4" (four inches).
4. The enclosure shall be free of handholds or footholds that could allow a child below the age of five to climb into the pool area.
5. Enclosure access gates must open away from the pool area, be equipped with self closing and self latching devices, and with a release mechanism placed not lower than 60" (sixty inches) above the ground.

What about hot tubs and spas?

Hot tubs or spas that have a locking safety cover that complies with the American Society for Testing Materials- Emergency Performance Specifications (ASTM-ES 13-89) are exempt from the above barrier requirements.



What types of swimming pool safety upgrades are required?

To help eliminate hazards on existing pools and spas, Assembly Bill 2977 (Chapter 478, Statutes of 2006), effective January 1, 2007, requires installations of pool anti-entrapment covers whenever a building permit is issued for certain remodeling or modifications at a single family home. The permit shall require that the suction outlet of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an anti-entrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME), ASME/ANSI Standard A 112.19.8.

Where can I obtain these products?

Contact your local pool supply company or a licensed pool contractor.

Who installs these pool drain covers, alarms, or barriers?

Contact your local pool supply company or a licensed pool contractor.

Where can I view the Swimming Pool Safety Act, sections 115920-115929 of the California Health and Safety Code?

Please visit the California Law web page: [Swimming Pool Safety Act - Health and Safety Code Section 115920-115929](#)

Where can I view Assembly Bill 2977?

Please visit the California Bill Information web page: [California Assembly Bill 2977](#)

Updated October 13, 2007: [California Assembly Bill 382](#)

Contact Us

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